



Entered on Docket  
May 31, 2007

Hon. Linda B. Riegle  
United States Bankruptcy Judge

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Counsel for the Official Committee Of  
Equity Security Holders Of USA Capital First Trust Deed Fund, LLC

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re:	)	BK-S-06-10725-LBR
USA COMMERCIAL MORTGAGE COMPANY,	)	Chapter 11
Debtor.	)	
In re:	)	BK-S-06-10726-LBR
USA CAPITAL REALTY ADVISORS, LLC,	)	Chapter 11
Debtor.	)	
In re:	)	BK-S-06-10727-LBR
USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC,	)	Chapter 11
Debtor.	)	
In re:	)	BK-S-06-10728-LBR
USA CAPITAL FIRST TRUST DEED FUND, LLC,	)	Chapter 11
Debtor.	)	
In re:	)	BK-S-06-10729-LBR
USA SECURITIES, LLC,	)	Chapter 11
Debtor.	)	
Affects	)	
<input type="checkbox"/> All Debtors	)	
<input type="checkbox"/> USA Commercial Mortgage Co.	)	
<input checked="" type="checkbox"/> USA Securities, LLC	)	
<input type="checkbox"/> USA Capital Realty Advisors, LLC	)	
<input type="checkbox"/> USA Capital Diversified Trust Deed	)	
<input checked="" type="checkbox"/> USA First Trust Deed Fund, LLC	)	

**ORDER APPROVING STIPULATION FOR WITHDRAWAL OF PROOFS OF CLAIM  
NUMBERS 123, 124 AND 125 FILED RESPECTIVELY BY KANTOR NEPHROLOGY  
CONSULTANTS, LTD 401(K) PSP; DR. GARY KANTOR; AND LYNN M. KANTOR  
(AFFECTS DEBTORS USA CAPITAL FIRST TRUST DEED FUND, LLC)**

The Court having considered the "Stipulation For Withdrawal Of Proofs Of Claim Numbers 123, 124 And 125 Filed Respectively By Kantor Nephrology Consultants, Ltd 401(K) PSP; Dr. Gary Kantor; And Lynn M. Kantor" (the "Stipulation") entered into by and between, the Official Committee of Equity Security Holders of USA Capital First Trust Deed Fund, LLC ("FTDF Committee"), on the one hand, by and through its undersigned counsel, and Kantor Nephrology Consultants, Ltd 401(K) PSP; Dr. Gary Kantor; And Lynn M. Kantor, on the other hand, by and through their undersigned counsel and good cause appearing therefore:

IT IS HEREBY ORDERED THAT the Stipulation is approved.

IT IS FURTHER ORDERED THAT the Kantor FTDF Claims,<sup>1</sup> and only the Kantor FTDF Claims, are hereby withdrawn from the FTDF bankruptcy case. Claimants' withdrawal of the Kantor FTDF Claims shall in no way impact upon or prejudice any of the Additional Kantor Claims filed against any of the Non-FTDF Debtors in their respective bankruptcy cases or the Kantor DTDF Interests or the Lynn Kantor IRA FTDF Interest, all of which claims and interests are specifically preserved.

IT IS FURTHER ORDERED THAT based on the covenant provided in Paragraph 1 of the Stipulation, the Claimants shall not seek to re-file the Kantor FTDF Claims, or any claims based on the same facts and circumstances as the Kantor FTDF Claims, in the FTDF bankruptcy case and any such claims that are filed shall be deemed disallowed by this Order.

IT IS FURTHER ORDERED THAT the Stipulation shall not alter, affect or prejudice the Claimants' claims against other debtors in this jointly-administered proceeding.

IT IS FURTHER ORDERED THAT the deadlines to amend the Kantor FTDF Claims (May 29, 2007), and to file the Supplemental Pleadings (June 6, 2007 and June 13, 2007) are hereby vacated.

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<sup>1</sup>Defined terms used and not defined herein have the meanings set forth in the Stipulation.

1 IT IS FURTHER ORDERED THAT the hearing on the Kantor FTDF Claims  
2 Objections and the Supplemental Pleadings set for June 15, 2007 at 9:30 a.m. is hereby vacated.

3 IT IS FURTHER ORDERED THAT the Reserve Motion and the Interim Reserve  
4 Stipulation are now moot

5 IT IS FURTHER ORDERED THAT the hearing on the Reserve Motion and the  
6 Interim Reserve Stipulation set for June 15, 2007 at 9:30 a.m. is hereby vacated.

7  
8 **SUBMITTED BY:**

9 STUTMAN, TREISTER & GLATT, P.C.

10  
11 /s/ Eve H. Karasik  
12 EVE H. KARASIK  
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16 and

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22 *Counsel for the Official Committee of Equity*  
23 *Security Holders of USA Capital First Trust*  
24 *Deed, Fund, LLC*

25 **APPROVED/DISAPPROVED**

26 McGUIREWOODS LLP

27 /s/ Michael M. Schmahl  
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*Counsel for the Kantor Claimants*

**APPROVED/DISAPPROVED**

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and

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**REVIEWED**

OFFICE OF THE UNITED STATES  
TRUSTEE

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*Counsel for the Office of the United States*  
*Trustee*

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